UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/677,467	10/02/2003	Philippe Bazot	FR920020066US1	8489

23550 7590 10/09/2007

HOFFMAN WARNICK & D'ALESSANDRO, LLC
75 STATE STREET
14TH FLOOR
ALBANY, NY 12207

EXAMINER	
MIRZADEGAN, SAEED S	

ART UNIT	PAPER NUMBER
2144	

MAIL DATE	DELIVERY MODE
10/09/2007	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No.	Applicant(s)	
	10/677,467	BAZOT ET AL.	
	Examiner	Art Unit	
	Saeed S. Mirzadegan	2144	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 2 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *24 July 2007*.

2a)☒ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☒ The drawing(s) filed on *02 October 2003* is/are: a)☒ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☒ All b)☐ Some * c)☐ None of:

1.☒ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Amendment

1. This Action is in regards to the Response received on 24 July 2007.

2. Applicant's Amendments, (see Amendments to specifications filed 24 July 2007) with respect to Specifications and Drawings have been fully considered and are persuasive. The Objections to Specifications and Drawings has been withdrawn.

3. Applicant's arguments with respect to claims 1-5 have been considered but are moot in view of the following ground(s) of rejection.

Claim Rejections - 35 USC § 112

The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

4. Claim 5 is rejected under 35 U.S.C. 112, second paragraph. The claim element that does not include the phrase "means for" or "step for" will not be considered to invoke 35 U.S.C. 112, sixth paragraph. If applicant wishes to have the claim limitation treated under 35 U.S.C. 112, sixth paragraph, applicant must either amend the claim to include the phrase "means for" or "step for," or show that even though the phrase "means for" or "step for" is not used, the claim limitation is written as a function to be performed and does not recite sufficient structure, material, or acts which would preclude application of 35 U.S.C. 112, sixth paragraph. [See MPEP 2181]

Claim Rejections - 35 USC § 102

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. Claims 1, 3 & 4 are rejected under 35 U.S.C. 102(e) as being anticipated by Brown et al. (US Patent NO. 6970918B2 here after "Brown et al.").

6. The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 102(e) might be overcome either by a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not the invention "by another," or by an appropriate showing under 37 CFR 1.131.

7. Regarding Claim 1 Brown et al. disclose, Method of accessing Internet resources provided by at least a content server (col. 3, line 51 & Fig 2a, 16) in a data transmission system including a proxy (col. 3, line 55 & Fig 2a, 11) connected to an Internet network (col. 3, line 50 & Fig 2a, 14), said proxy being provided with authentication means (col.

4, line 23 & Fig 3, 20) for authenticating a user when receiving a request for Internet resources (col. 4, line 18) therefrom, and wherein said proxy transmits the user request to said content server (col. 4, lines 3-8 & 29-30) which sends back a response to the proxy together with at least one cookie containing information about said user (col. 4, lines 30-32);

said proxy receiving and storing said response in a user context database (col. 4, lines 32-33 & Fig 3, User Database 22) and transmitting said response to said user (col. 6, line 37) after said cookie has been removed from said response (col. 6, lines 29-31), so that said user can send all subsequent requests for accessing said Internet resources contained in said content server to said proxy (col. 7, lines 36-41).

8. Regarding Claim 3, Brown et al. disclose, the Method according to claim 1, wherein said cookie which has been stored in said user context database is added to all subsequent requests from said user for accessing Internet resources in said content server (col. 5, lines 17-27).

9. Regarding Claim 4 Brown et al. disclose, Method according to claim 3, wherein the response from said content server to said proxy includes a statement "set-cookies," said statement being removed from said response (col. 6, lines 29-31) before transmitting said response to said user (col. 6, line 37).

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

The factual inquiries set forth in *Graham* **v.** *John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
2. Ascertaining the differences between the prior art and the claims at issue.
3. Resolving the level of ordinary skill in the pertinent art.
4. Considering objective evidence present in the application indicating obviousness or nonobviousness.

10. Claims 2 is rejected under 35 U.S.C. 103(a) as being obvious over Brown et al. as applied to claims 1 above, and in view of Admitted Prior Art.

The applied reference has a common assignee with the instant application. Based upon the earlier effective U.S. filing date of the reference, it constitutes prior art only under 35 U.S.C. 102(e). This rejection under 35 U.S.C. 103(a) might be overcome by: (1) a showing under 37 CFR 1.132 that any invention disclosed but not claimed in the reference was derived from the inventor of this application and is thus not an invention "by another"; (2) a showing of a date of invention for the claimed subject matter of the application which corresponds to subject matter disclosed but not claimed

in the reference, prior to the effective U.S. filing date of the reference under 37 CFR 1.131; or (3) an oath or declaration under 37 CFR 1.130 stating that the application and reference are currently owned by the same party and that the inventor named in the application is the prior inventor under 35 U.S.C. 104, together with a terminal disclaimer in accordance with 37 CFR 1.321(c). This rejection might also be overcome by showing that the reference is disqualified under 35 U.S.C. 103(c) as prior art in a rejection under 35 U.S.C. 103(a). See MPEP § 706.02(l)(1) and § 706.02(l)(2).

11. Regarding Claim 2, Brown et al. disclose the Method according to claim 1, wherein said proxy is configured as a proxy establishing a connection to said content server on behalf of said user when receiving said request from said user, and wherein said cookie is transmitted by said proxy to said content server when said user sends other requests for a same URL even if said content server does not belong to a same domain as said reverse proxy.

12. However Brown et al. do not disclose, reverse proxy.

13. In the same field of endeavor, Admitted Prior Art teach, (page 2, 2nd paragraph, lines 14-25, A proxy can be configured as "reverse proxy" in order to add more security and to protect in an efficient way the back-end Web services. In such a case, the proxy appears to the client to be the destination content server. To the content server, the reverse proxy server acts as the originator of client requests. If a client wants to access

a file, for example main.html, he/she points its browser to the reverse proxy, www.DomainA.com believing this is the Internet address of the content server. The reverse proxy server will accept the client request for main.html, retrieves the requested page from the content server residing on w3.DomainB.com, and returns it to the client).

14. It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to modify Brown et al. by including the reverse proxy of the Admitted Prior Art, to add more security and to protect the back-end Web services in an efficient way. Additional security along with back-end Web services protection would make it more difficult for hackers to gain unauthorized access to sensitive user information as well as unauthorized access to Web services.

Response to Arguments

15. Applicant's arguments filed on 24 July 2007 have been carefully considered but they are not deemed fully persuasive. However, because there exists the likelihood of future presentation of this argument, the Examiner thinks that it is prudent to address applicant's main point of contention. Applicant's arguments include:

A. Applican t argues that "applicants, at this point, will not amend claim 5, nor opt "in" or "out" of 35 USC 112, sixth paragraph". Applicant further states that "applicants are unaware of any requirement to use specific language in a claim in order for it to be recognized under 35 USC 112, sixth paragraph". Applicant further states that "applicants respectfully contend that claims (e.g., claim 5) are

treated as either "in" or "out" of 35 USC 112, sixth paragraph, by careful analysis, be it by the Examiner or a Court of law, based on case law, and the like. Thus, at this point, Applicants leave claim 5 written, as is and, for now, leave a determination to others as to whether or not claim 5 falls under the aegis of 35 USC 112, sixth paragraph."

B. Applican t argues that For example, with respect to independent claim 1, the cited reference fails to teach, inter alia, a content server which sends" back a response to the proxy together with at least one cookie containing information about said user.

16. As to "Point A", applicant's argument is noted, however the examiner maintains the rejection.

17. As to "Point B", it is the Examiner's position that Brown discloses (abstract, lines 5-13) the secure server (content server) sending a secure response (cookie) to a proxy machine, the cookie then being manipulated in the proxy machine to a format usable by the user and further adding financial data to the cookie and subsequently returning a response from the content provider to the client with or preferably without cookies. Thus the content server is sending a cookie to the proxy machine along with a response. Thus it is the Examiners position that the 35 USC 102 rejection is proper.

Prior Art of Record

18. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. Bhasin et al. (US. PG. Pub. No. US 20030177196) teaches a Method and system for providing proxy based caching services to a client device.

Conclusion

THIS ACTION IS MADE FINAL. Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Saeed S. Mirzadegan whose telephone number is 571-270-3044. The examiner can normally be reached on M-F 8:00-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Vaughn can be reached on 571-272-3922. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

SSM

WILLIAM VAUGHN
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100